



State of New Hampshire  
DEPARTMENT OF ENVIRONMENTAL SERVICES

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095

(603) 271-2147

FAX (603) 271-6588

LETTER OF DEFICIENCY  
WET 2004-011



March 15, 2004

Steven and Tammy Rizza  
62 Beach Rd  
Croydon, NH 03773

RE: DES Wetlands File #2003-01703 62 Beach Road, Croydon

Dear Mr. and Ms. Rizza:

On August 29, 2003, personnel from the Department of Environmental Services ("DES") conducted an inspection of the above referenced property, more specifically referenced on Town of Croydon Tax Map B as Lot 393 (the "Property"). The purpose of the inspection was to determine compliance with RSA 482-A and NH Code of Admin. Rules Wt 100-700.

During the inspection the following deficiencies were documented:

1. An area measuring 105' x' 45' of jurisdictional wetland bordering Rockybound Pond had been filled without a permit from DES.

In response, you are requested to take the following actions:

1. By April 15, 2004, retain a certified wetland scientist or qualified environmental consultant and submit to DES in writing the name, address, and telephone number of the consultant;

2. By May 15, 2004, submit a restoration proposal prepared by a certified wetland scientist or qualified environmental consultant to DES for review and approval. Submit the following with the restoration proposal:

- a. A plan with dimensions, drawn to scale, showing:

- i. Existing conditions, with wetland boundaries; and

- ii. Proposed conditions after reestablishing the jurisdictional areas;

- b. A detailed description of the proposed means of erosion control (silt fence, hay bales, *etc.*) and stabilization of the restoration area;

- c. A detailed description of the proposed planting plan for the stabilization and revegetation of the restoration area and control of invasive species such as purple loosestrife (*Lythrum salicaria*) and common reed (*Phragmites australis*);

- d. A description of the proposed construction sequence and methods for accomplishing restoration and anticipated restoration compliance date.

- e. A description of the method of documenting at least 75% survival of all vegetation planted during the restoration project.

2. Retain a qualified wetland scientist to supervise the implementation of the restoration plan

and to submit the restoration progress reports.

3. Implement the restoration plan only after receiving written approval and as conditioned by DES.

RSA 482-A, the New Hampshire Wetlands law, was enacted to protect and preserve wetlands and surface waters from unregulated despoliation. Prior to dredging, filling, or construction in and adjacent to wetlands or surface waters, an individual is required to obtain a permit. If work is done without a permit, this is considered a violation of RSA 482-A. Failure to respond to this Letter of Deficiency in a timely and complete manner may be construed as noncompliance by the receiving party.

DES personnel may conduct another inspection at a later date to determine whether you have come into and are maintaining full compliance with the applicable statute and rules.

Issuance of this letter shall not preclude further enforcement by DES. Failure to comply with RSA 482-A will result in enforcement by DES, including but not limited to the issuance of fines, administrative orders, or referral to the New Hampshire Office of the Attorney General for prosecution of civil or criminal penalties. If an order is issued to you, it may also be recorded with the Registry of Deeds as an encumbrance against your property.

All documents submitted in response to this Letter of Deficiency should be addressed as follows:

Linda Magoon  
Wetlands Bureau  
Department of Environmental Services  
29 Hazen Drive  
PO Box 95  
Concord, NH 03302-0095

Should you have any questions regarding this letter, or wish to arrange a meeting, please contact Linda Magoon at (603) 271-4056 or by e-mail at [lmagoon@des.state.nh.us](mailto:lmagoon@des.state.nh.us).

Sincerely,

**COPY**  
Collis G. Adams, CWS  
Administrator  
Wetlands Bureau

CERTIFIED MAIL 7002 3150 0001 5411 2347

cc: Rene Pelletier, Manager, Land Resources Management Program

Gretchen Rule, Administrator, DES Legal Unit

Croydon Conservation Commission

Croydon Board of Selectmen

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